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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MERYL BORDERS-HUMPHREY,

Plaintiff,

v.

PRISON HEALTH SERVICES, INC., and
 DOES 1 through 10,

Defendants.

Case No. C 07-02516 JSW

**STIPULATION AND [PROPOSED]
 ORDER CONTINUING CASE
 MANAGEMENT CONFERENCE**

Plaintiff, Meryl Borders-Humphrey, and Defendant, Prison Health Services, Inc., through their counsel, jointly stipulate to continuing the case management conference currently scheduled for Friday, February 8, 2008, for the following reasons:

Plaintiff's employment with defendant Prison Health Services, Inc. (PHS) was governed by a collective bargaining agreement. Plaintiff filed a union grievance challenging the termination of her employment. That grievance has now proceeded to arbitration. The arbitration commenced on December 4, 2007, and a second session was held on January 17, 2008. Because the arbitration was not completed on January 17, a third (and anticipated final) arbitration session is scheduled for Wednesday, February 6, 2008. Because the resolution of the arbitration could impact the scope and

1 timing of the present proceeding, the parties are not presently in a position to schedule this case for
2 completion of discovery or trial.

3 In addition, Plaintiff has indicated her intention to amend the complaint to add American
4 Service Group, Inc. as an additional defendant. The requested continuance will provide the parties
5 time to confer regarding Plaintiff's intention.

6 For these reasons, the parties respectfully request that the February 8 case management
7 conference be continued for approximately 90-120 days (until mid- to late-May 2008) in order to
8 allow an opportunity to complete the arbitration and receive a ruling from the arbitrator and to
9 resolve whether there will be an amendment to the pleadings.

11 DATED: February 4, 2008

McDONOUGH HOLLAND & ALLEN PC
Attorneys at Law

13 By: /s/ Laura J. Fowler
14 LAURA J. FOWLER

15 Attorneys for Defendant Prison Health Services,
16 Inc.

17 DATED: February 4, 2008

LAW OFFICES OF MICHAEL C. COHEN

19 By: /s/ Michael C. Cohen
20 MICHAEL C. COHEN

21 Attorneys for Plaintiff Meryl Borders-Humphrey

22 **ORDER**

23 Having read the foregoing Stipulation and good cause appearing therefor,

24 IT IS SO ORDERED that the Case Management Conference is continued to
25 _____, 2008.

26 DATED: _____

27 _____
JUDGE OF THE U.S. DISTRICT COURT